	Application No.	Applicant(s)
Notice of Allowability	08/865,403	ASANO, TOMOYUKI
	Examiner	Art Unit	
	NGA B. NGUYEN	3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the BPAI Decision filed on October 31, 2007*.

2. ☒ The allowed claim(s) is/are *9,17-25,37-46 and 53-62*.

3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☒ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

    Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date *2/19/08*

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

DETAILED ACTION

1.   This Office Action is the answer to the BPAI Decision filed on October 31, 2007,

which paper has been placed of record in the file.

2.   Claims **9, 17-25, 37-46,** and **53-62** are pending in this application.

Allowable Subject Matter/Reasons for Allowance

3.   Claims **9, 37,** and **53** are allowed over the prior arts cited records.

The closest prior arts are:

1) Sirbu (US 5,809,144) discloses a method for purchasing and delivering goods

over a network is comprised of the steps of identifying a digital good to be purchased. A

purchase price for the digital good is negotiated. After the negotiation step, an

authenticated purchase request is sent to the merchant. The merchant encrypts the

desired digital good and calculates a first cryptographic checksum for the encrypted

good. The encrypted digital good and the first cryptographic checksum together with a

timestamp are then transmitted to the customer. The customer calculates a second

cryptographic checksum for the received encrypted digital good. The customer creates

an electronic payment order containing information identifying the transaction, the

second cryptographic checksum, credentials, and the timestamp. The electronic

payment order is transmitted to the merchant. The merchant compares the first and

second cryptographic checksums to ensure that they match, and if so, the merchant

adds an electronic signature and a decryption key to the electronic payment order. The

merchant submits the merchant signed electronic payment order and the key to an

account server for review. The account server reviews the information in the electronic

payment order and sends a message, including the key if the review is positive, to the

merchant. The merchant forwards the message to the customer. If the message

contained the key, the customer uses the key to decrypt the goods. Sirbu does not

disclose that the countersigned EPO is sent to the account server "when a disclosure

request of service requests and digital signatures is received." In particular, Sirbu does

not teach that the step of sending the countersigned EPO is contingent on receipt of a

disclosure request. Rather, in Sirbu, the merchant application software automatically

sends the countersigned EPO to the account server 16. Although the countersigned

EPO includes the EPO already received by the merchant from the user, the EPO sent

from the user does not amount to a disclosure request, because Sirbu does not disclose

that this EPO contains an explicit or implicit request by the user to the merchant that

asks the merchant to disclose the user's service request and digital signature to the

account server. As such, Sirbu fails to disclose the step of "providing said service

request and said digital signature to said accounting terminal when a disclosure request

of service requests and digital signatures is received."

2) Fox (US 5,790,677) discloses an electronic commerce system facilitates

secure electronic commerce transactions among multiple participants. Each electronic

commerce transaction involves at least one commerce document defining the

transaction and at least one commerce instrument defining a payment for the

transaction. The electronic commerce system has a credential binding server at a

trusted credential authority, multiple computing units at associated participants, and a

communication system interconnecting the credential binding server and the multiple computing units. The electronic commerce system operates in two phases: a registration phase and a transaction phase. During the registration phase, each of the computing units generate and send a registration packet over the communication system to the credential binding server. Unique credentials are produced by the credential binding server based upon the registration packets sent back to the computing units. During the transaction phase, an originating computing unit initially requests, receives, and verifies the credentials of expected recipient computing units to ensure communication between authenticate participants. Thereafter, the originating computing unit signs and encrypts the commerce document(s) and the commerce instrument(s) in a manner which ensures that only the intended recipients can decrypt them. The originating computing unit then sends both the commerce document(s) and instrument(s) over the communication system to a first recipient computing unit. The first recipient computing unit decrypts and verifies the commerce document(s) and/or instruments intended for it. The first recipient computing unit then passes the balance of the encrypted commerce document(s) and/or instrument(s) over the communication system to a second recipient computing unit, which decrypts and verifies the commerce document(s) and/or instrument(s) intended for it. This process is continued until all commerce documents and commerce instruments are distributed, decrypted, and verified by their intended recipients. Similarly as Sirbu, Fox does not disclose that the PO is sent to the acquirer "when a disclosure request of service requests and digital signatures is received." In particular, Fox does not teach that the step of sending the PO

is contingent on receipt of a disclosure request. Rather, in Fox, the merchant sends the

signed PO to the acquirer 406. Although the signed PO includes the PO already

received by the merchant from the user, the PO sent from the user does not amount to

a disclosure request, because Fox does not disclose that this PO contains an explicit or

implicit request by the user to the merchant that asks the merchant to disclose the

user's service request and digital signature to the acquirer. As such, Fox fails to disclose

the step of "providing said service request and said digital signature to said accounting

terminal when a disclosure request of service requests and digital signatures is

received."

Therefore, it is clear from the description of Sirbu's and Fox's inventions that the

prior arts do not considered the possibility of: A method for providing a service to a user,

comprising: *providing said service and said digital signature to said accounting terminal*

when a disclosure request of service requests and digital signatures is received, **as**

included in claims 9, 37, and 53.

4.   Claims (17-25), (38-46), and (54-62), are allowed because they are dependent

claims of the allowable independent claims 9, 37, and 53 above, in that order.

Conclusion

5.   Claims **9, 17-25, 37-46,** and **53-62** are allowed.

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to examiner Nga B. Nguyen whose telephone number is

(571) 272-6796. The examiner can normally be reached on Monday-Friday from

9:00AM-5:00PM.

   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kambiz Abdi can be reached on (571) 272-6702.

   Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the Group receptionist whose telephone number is

(571) 272-3600.

7.   Any response to this action should be mailed to:

            Commissioner of Patents and Trademarks

            P.O. Box 1450

            Alexandria VA, 22131-1450

Or faxed to:

            (571) 273-8300 (for formal communication intended for entry),

or

            (571) 273-6796 (for informal or draft communication, please label

"PROPOSED" or "DRAFT").

   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nga B. Nguyen/

Primary Examiner, Art Unit 3692

February 20, 2008